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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,382	10/27/2000	William D. Georges	SST/1061	6345

498 7590 11/19/2003

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EXAMINER

BAXTER, GWENDOLYN WRENN

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/698,382

Applicant(s)

GEORGES ET AL.

Examiner

Gwendolyn Baxter

Art Unit

3632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 15-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 16.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 3632

This is the fourth office action for serial number 09/698,382, Strap tie Holder, filed on October 27, 2000. Acknowledgment is made of applicant's request for continued examination filed September 26, 2003.

Claim Rejections - 35 USC § 112

Claims 2, 6-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites "a formboard", which is found at line 2, and is a double inclusion of "a formboard" which is found at line 9 of claim 1. The inclusion of the same element twice makes the claim indefinite.

Claim 6, lines 3-6, recites a third, fourth, fifth, and sixth flanges without any previous reference to a first and second flange. Therefore, this claim is indefinite.

In claim 7, lines 2 and 4, respectively, "said second flange" lacks proper antecedent basis has been previously recited at line 2 of this claim providing proper antecedent basis. The language should reflect this antecedence; therefore, this language should read --the person's thigh--. Similar problem occurs in claim 5.

Art Unit: 3632

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by non-patent literature, Advanced Connector Systems, "AFS Holdown Form Shoes" Advanced Connector Systems Catalog, (Arizona), page 34 (1997), hereinafter Advanced Connector. The present invention reads on Advanced Connector: Advanced Connector discloses a connection comprising a support member, a holder, a strap connector, and a fastener means. See attachment. The holder is for compressibly holding the strap connector without penetration. The strap connector compressibly held by the holder without penetration of the strap connector by the holder. The fastener means or fasteners attaching the holder to the support member. The support member is a formboard for containing concrete foundation during pouring and setting (claims 1 and 2). The strap connector is a strap tie hold down (claim 2). The strap connector has a first face and a second face. The holder comprises an attachment portion, compression means and a retaining means for retaining for retaining the compression means to the attachment portion (claim 3). The attachment portion of the holder has a first surface that interfaces with the first face of the strap connector. The compression means of the holder has a second surface that interfaces with the second face of the strap connector, compressibly holding the strap connector (claim 4).

Art Unit: 3632

Furthermore, the attachment portion of the holder has a first and second portion. The first portion is for attaching the holder to the support member in combination with fastener means. The second portion is joined to the first portion wherein the first surface of the attachment portion is located on the second portion (claim 5).

Allowable Subject Matter

Claims 6-21 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is an examiner's supplemental statement of reasons for allowance: the retaining means comprises a third, fourth, fifth and sixth flanges; The holder has a transition portion connected to the attachment portion having a first surface that interfaces with the first face of the strap connector; and a wedge having a first surface wherein the wedge is dimensioned to fit the sleeve of the compression means.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

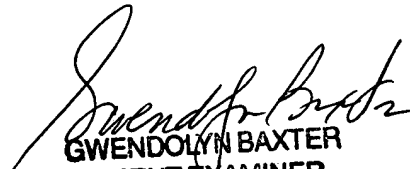
Art Unit: 3632

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gwendolyn Baxter whose telephone number is (703) 308-0702. The examiner can normally be reached Monday-Friday from 8:30 A.M. to 5:00 P.M. Eastern Time Zone.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113. The fax phone number for this Group is (703) 305-3597.

gb
November 10, 2003


GWENDOLYN BAXTER
PATENT EXAMINER
Art Unit 3632